IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 28TH JUNE 2007 / 7TH ASHADHA 1929

Bail Appl..No. 3890 of 2007(M)

CRIME NO. 362/07 OF PERUMBAVOOR POLICE STATION
AGAINST THE JUDGEMENT/ORDER IN BA.3505/2007

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PETITIONER/1ST ACCUSED

MOHANAN, S/O.KESAVAN, AGED 50 YEARS,
CHETHUKATT VEEDU, ARAYANICHUVADU JUNCTION BHAGOM,
KOZHIPILLY KARA, PALAKKUZHA VILLAGE.

BY ADV. SRI.MATHEW SKARIA
SRI.C.V.SABU

RESPONDENTS:
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1. STATE OF KERALA REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. THE CIRCLE INSPECTOR OF POLICE,
PERUMBAVOOR POLICE STATION, PERUMBAVOOR.

3. DY.SUPERINTENDENT OF POLICE,
CBCID, CFS, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 28/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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Crl.M.A.No. 5884 of 2007

in

B.A.No. 3890 of 2007

- -

Dated this the 25th day of October, 2007

O R D E R

The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that condition No.(b) imposed on the petitioner, who faces allegations under Section 489 B and C I.P.C, when he was granted bail by default as per order dt.28.6.2007, that he must report before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon until further orders, can now be modified.

2. This Crl.M.A. is hence allowed. The said condition is modified. The petitioner need appear before the Investigating Officer hereafter on the first Mondays of all English Calender months between 10 a.m. and 12 noon until further orders or until the final report is filed, whichever is earlier.

(R. BASANT)
Judge

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R. BASANT, J.

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B.A.No. 3890 of 2007

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Dated this the 28th day of June, 2007

O R D E R

Application for regular bail. The petitioner faces allegations under Section 489 B and C I.P.C. He was arrested on 28.3.2007 and he continues in custody from that date. It is unnecessary to advert to the other facts of the case.

2. The learned counsel for the petitioner prays, the and learned Prosecutor does not seriously oppose the said prayer and I am satisfied that the petitioner, who has remained in custody from 28.3.2007 - for a period of 90 days - and against whom no final report has been filed so far, is entitled for bail by default under the provisions of Section 167 Cr.P.C.

3. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) He shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to be satisfaction of

the learned Magistrate.

(b) He shall make himself available for interrogation before the Investigating Officer between 10 a.m. and 12 noon on all Mondays and Fridays until further orders.

© The petitioner shall not leave the Sessions Division of Ernakulam until further orders without the prior permission of the learned Magistrate.

(R. BASANT)
Judge

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